

STATEMENT OF BASIS

as required by LAC 33:IX.3109, for draft **Louisiana Pollutant Discharge Elimination System Permit No. LA0110272; AI 28168; PER20080002** to discharge to waters of the State of Louisiana as per LAC 33:IX.2311.

The **permitting authority** for the Louisiana Pollutant Discharge Elimination System (LPDES) is:

Louisiana Department of Environmental Quality
Office of Environmental Services
P. O. Box 4313
Baton Rouge, Louisiana 70821-4313

- I. **THE APPLICANT IS:** Scott Construction Dump, Inc.
 P.O. Box 436
 Carencro, LA 70520

- II. **PREPARED BY:** Eura DeHart

- DATE PREPARED:** July 30, 2008

- III. **PERMIT ACTION:** reissue LPDES permit LA0110272, AI 28168; PER20080002

 LPDES application received: April 8, 2008

 EPA has not retained enforcement authority.

 LWDPS permit issued: May 28, 1996
 LWDPS permit expired: May 27, 2001

IV. **FACILITY INFORMATION:**

- A. The application is for the discharge of landfill wastewater, including contact and non-contact stormwater, from the Scott Construction Dump, Inc. Type III construction/demolition debris and woodwaste landfill. The facility accepts construction and demolition debris and woodwaste. It is estimated the facility will receive up to 500 yards/day of debris in the future. Water which collects in the the disposal cells and stormwater runoff from the uncapped landfill area will be directed to the stormwater settling pond to allow for settling of solids prior to discharge through Outfall 001. Non-contact stormwater will be discharged through Outfall 002. When the facility expands into the area between Cell I and II, all contact and non-contact stormwater will be directed to the stormwater settling pond thereby eliminating Outfall 002.

- B. The facility is located at 210 Gene Road in Scott, Lafayette Parish.

- C. The treatment facility consists of a storm water settling pond.

- E. Outfall 001
 - Discharge Location: Latitude 30° 15' 0" North
 Longitude 92° 6' 2" West

 - Description: landfill wastewater associated with a construction/demolition debris and woodwaste landfill (including contact and noncontact stormwater)

 - Expected Flow: varies with rainfall

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Outfall 002

Discharge Location: Latitude 30° 15' 09" North
Longitude 92° 05' 53" West

Description: noncontact stormwater

Expected Flow: varies with rainfall

V. RECEIVING WATERS:

The discharge is into Lateral of Coulee Ile Des Canne, thence into Coulee Ile Des Canne, thence into the Vermilion River from Outfall 001 and into Gene Road ditch, thence into Renaud Road ditch, thence into Lateral of Coulee Ile Des Canne from Outfall 002 in segment 060802 of the Vermilion - Teche Basin. This segment is not listed on the 303(d) list of impaired waterbodies.

The designated uses and degree of support for Segment 060802 of the Vermilion - Teche Basin are as indicated in the table below^{1/}:

Overall Degree of Support for Segment 060802	Degree of Support of Each Use						
	Primary Contact Recreation	Secondary Contact Recreation	Propagation of Fish & Wildlife	Outstanding Natural Resource Water	Drinking Water Supply	Shell fish Propagation	Agriculture
Partial	Not Supported	Full	Not Supported	N/A	N/A	N/A	Full

^{1/}The designated uses and degree of support for Segment 060802 of the Vermilion - Teche Basin are as indicated in LAC 33:IX.1123.C.3, Table (3) and the 2006 Water Quality Management Plan, Water Quality Inventory Integrated Report, Appendix A, respectively.

VI. ENDANGERED SPECIES:

The receiving waterbody, Subsegment 060802 of the Vermilion - Teche Basin, is not listed in Section II.2 of the Implementation Strategy as requiring consultation with the U. S. Fish and Wildlife Service (FWS). This strategy was submitted with a letter dated October 27, 2007 from Boggs (FWS) to Brown (LDEQ). Therefore, in accordance with the Memorandum of Understanding between the LDEQ and the FWS, no further informal (Section 7, Endangered Species Act) consultation is required. It was determined that the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat.

VII. HISTORIC SITES:

The discharge is from an existing facility location, which does not include an expansion beyond the existing perimeter. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the 'Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits' no consultation with the Louisiana State Historic Preservation Officer is required.

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VIII. PUBLIC NOTICE:

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

For additional information, contact:

Mr. Eura DeHart
Water Permits Division
Department of Environmental Quality
Office of Environmental Services
P. O. Box 4313
Baton Rouge, Louisiana 70821-4313

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IX. PROPOSED PERMIT LIMITS:**Final Effluent Limits:**

Subsegment 060802, Vermilion River – From New Flanders (Ambassador Caffery) Bridge, Hwy. 3073 to Intracoastal Waterway, is not listed on LDEQ's Final 2006 303(d) list as impaired. However, subsegment 060802 was previously listed as impaired for phosphorus, nitrogen, organic enrichment/low DO, pathogen indicators, suspended solids/turbidity/siltation, and carbofuran for which the below TMDL's have been developed. The Department of Environmental Quality reserves the right to impose more stringent discharge limitations and/or additional restrictions in the future to maintain the water quality integrity and the designated uses of the receiving water bodies based upon additional TMDL's and/or water quality studies. The DEQ also reserves the right to modify or revoke and reissue this permit based upon any changes to established TMDL's for this discharge, or to accommodate for pollutant trading provisions in approved TMDL watersheds as necessary to achieve compliance with water quality standards.

The following TMDLs have been established for subsegment 060802:

1999 Review and Assessment of the 1987 Vermilion River Watershed TMDL for Dissolved Oxygen

This TMDL was revised in December 1999, and approved by EPA on April 5, 2001. This TMDL re-established that NPDES permits for individual point sources in the Vermilion Watershed should continue to be issued on the basis of flow rates as follows:

<u>FLOW RATE</u>	<u>PERMIT LIMITS</u>
greater than 25,000 gpd	May – Dec.: 10 mg/l CBOD ₅ /5 mg/l NH ₃ -N/5 mg/l DO Jan. – April: 20 mg/l CBOD ₅ /10 mg/l NH ₃ -N/5 mg/l DO
25,000 gpd or less	secondary limits year round

The facility will discharge intermittently during non-critical conditions. The limitations for the discharge will be consistent with EPA Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards for the Landfills Point Source Category.

Vermilion River TMDL for Fecal Coliform

The *Vermilion River TMDL for Fecal Coliform* was finalized on April 5, 2001, addressing the presence of pathogen indicators in the watershed. As per this TMDL, "...there will be no change in the permit requirements based upon a wasteload allocation resulting from this TMDL."

The landfill will not discharge treated sanitary wastewater. Therefore, fecal coliform effluent limitations will not be required in the permit.

TMDL for TSS, Turbidity, and Siltation for the 15 Subsegments in the Vermilion River Basin

As per the *TMDL for TSS, Turbidity, and Siltation for the 15 Subsegments in the Vermilion River Basin*, point source loads are so small as to be insignificant, and because effective policies are in place to limit TSS discharges, no specific reductions from point sources are required.

Therefore, TSS limits will be required in this permit according to the EPA Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards for the Landfills Point Source Category.

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TMDL for the Pesticide Carbofuran in the Mermentau and Vermilion-Teche River Basins

The TMDL for the Pesticide Carbofuran in the Mermentau and Vermilion-Teche River Basins was finalized on March 21, 2002, and states no point sources are known to discharge Carbofuran; therefore, no allocation was given to point source discharges in the Vermilion-Teche River Basin.

OUTFALL 001 – Landfill wastewater from a construction/demolition debris landfill

The effluent limitations for the facility are set in accordance with 40 CFR. Part 445, Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards for the Landfills Point Source Category. Stormwater limits are based on the Multi – Sector General Permit. Sector L. These limits are similar to those found in the General Permit for construction and demolition debris landfills (LAG780000).

Water which collects in the disposal cells and stormwater runoff from the uncapped areas of the landfill will be directed to the stormwater settling pond. Solids will be settled out in the settling pond before being discharged. This is a controlled discharge which is dependent on the pump capacity. Every 2 months, approximately 7,000 gallons will collect in the stormwater settling pond and discharged at an average rate of 400 gpm for a period of 1.5 days.

Final limits shall become effective on the effective date of the permit and expire on the expiration date of the permit.

Effluent Characteristic	Monthly Avg.	Daily Max.	Basis
BOD ₅	37 mg/l	140 mg/l	Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards for Landfills Point Source Category.
TSS	27 mg/l	88 mg/l	Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards for Landfills Point Source Category.
TOC	---	50 mg/l	BPJ based on the Multi-Sector General Permit, Sector L. (May, 2006)
Oil & grease	---	15 mg/l	BPJ based on the Multi-Sector General Permit, Sector L. (May, 2006)
Total Recoverable Iron	---	1.0 mg/l	BPJ based on the Multi-Sector General Permit, Sector L. (May, 2006)
Ammonia-Nitrogen	4.9 mg/l	10 mg/l	Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards for Landfills Point Source Category.
a-Terpineol	0.016 mg/l	0.033 mg/l	Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards for Landfills Point Source Category.
Benzoic Acid	0.071 mg/l	0.12 mg/l	Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards for Landfills Point Source Category.
p-Cresol	0.014 mg/l	0.025 mg/l	Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards for Landfills Point Source Category.
Phenol	0.015 mg/l	0.026 mg/l	Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards for Landfills Point Source Category.
Zinc	0.11 mg/l	0.20 mg/l	Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards for Landfills Point Source Category.

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*Concentration limits are used in accordance with LAC 33:IX.2709.F.1.b which states that mass limitations are not necessary when applicable standards and limitations are expressed in other units of measurement. LAC 33:IX.709.B references LAC 33:IX.711 which express BOD₅ and TSS in terms of concentration.

Other Effluent Limitations:**1) pH**

The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units at any time. (Limits as established through BPJ considering BCT for similar waste streams in accordance with LAC 33:IX.5905.C.)

2) Solids and Foam

There shall be no discharge of floating solids or visible foam in other than trace amounts in accordance with LAC 33:IX.1113.B.7.

OUTFALL 002 – Non-contact stormwater

Non-contact stormwater will be collected in the ditch between Cell I and Cell II.

As the facility expands into the area between Cell I and Cell II, all contact and non-contact stormwater will be directed to the stormwater settling pond for discharge through Outfall 001 and Outfall 002 will be eliminated.

Final limits shall become effective on the effective date of the permit and expire on the expiration date of the permit.

Effluent Characteristic	Monthly Avg.	Daily Max.	Basis
TSS	---	100 mg/l	BPJ based on the Multi-Sector General Permit, Sector L. (May, 2006)
Total Recoverable Iron	---	1 mg/l	BPJ based on the Multi-Sector General Permit, Sector L. (May, 2006)
TOC	---	50 mg/l	BPJ based on the Multi-Sector General Permit, Sector L. (May, 2006)
Oil & grease	---	15 mg/l	BPJ based on the Multi-Sector General Permit, Sector L. (May, 2006)

*Concentration limits are used in accordance with LAC 33:IX.2709.F.1.b which states that mass limitations are not necessary when applicable standards and limitations are expressed in other units of measurement. LAC 33:IX.709.B references LAC 33:IX.711 which express BOD₅ and TSS in terms of concentration.

Other Effluent Limitations:**1) pH**

The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units at any time. (Limits as established through BPJ considering BCT for similar waste streams in accordance with LAC 33:IX.5905.C.)

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2) Solids and Foam

There shall be no discharge of floating solids or visible foam in other than trace amounts in accordance with LAC 33:IX.1113.B.7.

X. PREVIOUS PERMITS:

LWDPS Permit No. WP 5178: Issued: May 28, 1996
Expired: May 27, 2001

Outfalls 001 and Outfall 002

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>		<u>Monitoring Requirements</u>	
	<u>Daily Avg.</u>	<u>Daily Max.</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>
Flow	Report	Report	1/month	Estimate
TOC	---	50 mg/l	1/month	Grab
Oil and Grease	---	15 mg/l	1/month	Grab

XI. ENFORCEMENT AND SURVEILLANCE ACTIONS:**A) Inspections**

A review of the files indicates the most recent water-related inspection was performed on June 23, 2005. The following was noted:

- Permit expired on 5-27-01 and a new permit was not applied for.
- According to Mr. Bundrick, no outfalls exist and all stormwater drains into the large retention pit on site.
- It appears that in some areas the stormwater may go offsite and not to the pit.
- It was difficult to determine whether or not retention levees were present around the perimeter of the property due to vegetative growth.
- No water is discharged from the pit according to Mr. Bundrick.

B) Compliance and/or Administrative Orders

A review of the files indicates there are no open or pending water-related enforcement actions administered against this facility.

C) DMR Review

There are no DMRs on file for this facility.

XII. ADDITIONAL INFORMATION:

In accordance with LAC 33:IX.2707.C, this permit may be modified, or alternatively, revoked and reissued, to comply with any applicable effluent standard or limitations issued or approved under sections 301(b)(2)(c) and (D); 304(b)(2); and 307(a)(2) of the Clean Water Act, if the effluent standard or limitations so issued or approved:

- a) Contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or
- b) Controls any pollutant not limited in the permit; or

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- c) Requires reassessment due to change in 303(d) status of waterbody; or
- d) Incorporates the results of any total maximum daily load allocation, which may be approved for the receiving water body.

The Department of Environmental Quality reserves the right to impose more stringent discharge limitations and/or additional restrictions as a result of the TMDL. Therefore, prior to upgrading or expanding this facility, the permittee should contact the Department to determine the status of the work being done to establish future effluent limitations and additional permit conditions.

At present, the **Monitoring Requirements, Sample Types, and Frequency of Sampling** as shown in the permit are standard for construction and demolition debris facilities.

XIII. TENTATIVE DETERMINATION:

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to reissue a permit for the discharge described in this Statement of Basis.

XIV. REFERENCES:

Louisiana Water Quality Management Plan / Continuing Planning Process, Vol. 8, "Wasteload Allocations / Total Maximum Daily Loads and Effluent Limitations Policy," Louisiana Department of Environmental Quality, 2005.

Louisiana Water Quality Management Plan / Continuing Planning Process, Vol. 5, "Water Quality Inventory Section 305(b) Report," Louisiana Department of Environmental Quality, 1998.

Louisiana Administrative Code, Title 33 - Environmental Quality, Part IX - Water Quality Regulations, Chapter 11 - "Louisiana Surface Water Quality Standards," Louisiana Department of Environmental Quality, 2004.

Louisiana Administrative Code, Title 33 - Environmental Quality, Part IX - Water Quality Regulations, Subpart 2 - "The LPDES Program," Louisiana Department of Environmental Quality, 2004.

Low-Flow Characteristics of Louisiana Streams, Water Resources Technical Report No. 22, United States Department of the Interior, Geological Survey, 1980.

Index to Surface Water Data in Louisiana, Water Resources Basic Records Report No. 17, United States Department of the Interior, Geological Survey, 1989.

LPDES Permit Application to Discharge Wastewater, Scott Construction Dump, Inc., Scott Construction Dump, Inc., April 8, 2008.